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APPLICATION NO		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/615,960 07/08/2003		07/08/2003	Glenn P. Schiffmann	29666	1244	
23482	7590	10/08/2004		EXAMINER		
WILHELI	M LAW S	SERVICE, S.C.	CANFIELD, ROBERT			
100 W LA' THIRD FL		ST	ART UNIT	PAPER NUMBER		
APPLETO	N, WI 5	4911	3635			
				DATE MAILED: 10/08/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

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•		Applica	tion No.	Applicant(s)	- IM			
			960	SCHIFFMANN ET AL.	\			
Office Action Summary		Examin	er .	Art Unit				
			Canfield	3635				
Period fo	The MAILING DATE of this communic or Reply	ation appears on ti	ne cover sheet with th	e correspondence addres	is			
THE - Exte after - If the - If NO - Failt Any	ORTENED STATUTORY PERIOD FO MAILING DATE OF THIS COMMUNIC nsions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commu period for reply specified above is less than thirty (30) period for reply is specified above, the maximum stature to reply within the set or extended period for reply wreply received by the Office later than three months afted patent term adjustment. See 37 CFR 1.704(b).	CATION.  f 37 CFR 1.136(a). In no en incation.  days, a reply within the statory period will apply and ill, by statute, cause the apply and ill, by statute apply and ill, by statute apply and ill, by statute apply	event, however, may a reply be atutory minimum of thirty (30) will expire SIX (6) MONTHS for oplication to become ABANDO	e timely filed  days will be considered timely. from the mailing date of this commu  DNED (35 U.S.C. § 133).	inication.			
Status				1				
1)  🏻	Responsive to communication(s) filed	on <i>08 July 200</i> 3.						
2a)□		o)⊠ This action is	non-final.					
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
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Applicat	ion Papers							
10)⊠	The specification is objected to by the The drawing(s) filed on <u>22 September</u> Applicant may not request that any object Replacement drawing sheet(s) including the oath or declaration is objected to	:2003 is/are: a)⊠ ion to the drawing(s) he correction is requ	be held in abeyance. ired if the drawing(s) is	See 37 CFR 1.85(a). objected to. See 37 CFR 1.	.121(d).			
Priority (	under 35 U.S.C. § 119							
а)	Acknowledgment is made of a claim for All b) Some * c) None of:  1. Certified copies of the priority of Some * Copies of the certified copies of the certified copies of the certified copies of the Internation See the attached detailed Office action	locuments have be locuments have be f the priority docun al Bureau (PCT R	een received. een received in Applic nents have been rece ule 17.2(a)).	cation No eived in this National Staç	ge			
2) 🔲 Notic 3) 🔯 Infor	ot(s) ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PT mation Disclosure Statement(s) (PTO-1449 or P er No(s)/Mail Date <u>8/4/03, 1/12/04</u> .		4) Interview Summ Paper No(s)/Ma 5) Notice of Inform 6) Other:		2)			

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1. This is a first Office action on the merits for application serial number 10/615960

filed 07/08/03. Claims 1-66 are pending.

2. The examiner acknowledges receipt of the IDS filed 08/04/03 and receipt of the

supplemental IDS filed 01/12/04. Initialed copies of the 1449 forms are attached.

3. The disclosure is objected to because of the following informalities: there is no

brief description of Figure 3A.

Appropriate correction is required.

4. Applicant is advised that should claim 62 be found allowable, claim 63 will be

objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two

claims in an application are duplicates or else are so close in content that they both

cover the same thing, despite a slight difference in wording, it is proper after allowing

one claim to object to the other as being a substantial duplicate of the allowed claim.

See MPEP § 706.03(k).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 6. Claims 1-3, 5, 9, 11-13, 17-20, 22, 23, 49, 50, 53-59 and 61-66 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,508,323 to Gerritsen.

  See the devices of Figures 3-5 and their descriptions. Note that the devices are capable of fitting over a jamb assembly with an outer trim element.
- 7. Claims 1-3, 5, 9-11, 13, 17-20, 22, 23, 49-51, 53-55, 57-60, 62-64 and 66 are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. 2002/0046532 to Rochman.

See Figure 3 and its description.

- 8. Claims 4, 6-8, 14-16, 21, 24, 25 and 52 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- 9. Claims 26-48 are allowed.
- 10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J Canfield whose telephone number is 703-308-2482. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on 703-308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert J Canfield Primary Examiner Art Unit 3635 Page 4

09/29/04